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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,577	12/07/2000	Yasusi Kanada	H-956	9644

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MATTINGLY, STANGER & MALUR, P.C.
1800 DIAGONAL ROAD
SUITE 370
ALEXANDRIA, VA 22314

EXAMINER

BATES, KEVIN T

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 03/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/730,577

Applicant(s)

KANADA, YASUSI

Examiner

Kevin Bates

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2000.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-7 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This Office Action is in response to a communication on December 7, 2000.

The Change of Address was received on March 14, 2003.

The Information Disclosure Statement was received on December 7, 2000.

Claims 1 – 7 are pending in this Office Action.

Information Disclosure Statement

The information disclosure statement filed December 7, 2000 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Mohaban (6463470).

Regarding claim 1, Mohaban teaches a method of transmitting a plurality of policy rules, each of which describes a condition and an action (Column 16, lines 14 – 21), from a policy server to a network node that is connected to the policy server via a network (Column 11, lines 14 – 20), the method comprising the steps of: assigning the plurality of policy rules with their identifiers (Column 19, lines 46 – 48; Column 20, lines 19 – 27); transmitting the policy rules with their assigned identifier to said network node (Column 5, lines 55 – 67; Column 12, lines 59 – 62); and detecting policy rules that depend on a newly entered policy rule or on any of which a newly entered policy rule depends when transmitting a new policy rule or rules to said network node as additional one or ones (Column 24, lines 24 – 28), wherein, with regard to the policy rules that depend on a new policy rule or on any of which a new policy rule depends, detected by said detection step, if the policy rule has not been transmitted to said network node, the identifier thereof and the condition and action described therein are transmitted to said network node (Column 29, lines 31 – 35); if the policy rule has been transmitted to said network node, the identifier thereof is transmitted to said network node, but the condition and action described therein are not transmitted (Column 28, lines 40 – 41).

Regarding claim 2, Mohaban discloses the policy rules that depend on a new policy rule or on any of which a new policy rule depends, detected by said detection step, if the policy rule has not been transmitted to said network node, the identifier thereof, the condition and action described therein, and a first instruction that specifies network interface information on said network node to put the policy rule into action are transmitted to said network node; if the policy rule has been transmitted to said network

node, the identifier thereof and a second instruction that specifies network interface information on said network node to put the policy rule into action are transmitted to said network node (Column 24, lines 37 – 61).

Regarding claim 3, Mohaban discloses the steps of: retaining the policy rules transmitted to said network node in storage of said policy server; and checking the transmitted policy rules retained in said storage to see whether the policy rules that depend on a new policy rule or on any of which a new policy rule depends, detected by said detection step, have been transmitted to said network node (Column 6, lines 5 – 12).

Regarding claim 4, Mohaban discloses said step of detecting policy rules that depend on a new policy rule or on any of which a new policy rule depends detects a policy rule that references a variable defined in said newly entered policy rule or a policy rule that defines a variable that is used as a condition in said newly entered policy rule (Column 21, lines 34 – 41).

Regarding claim 5, Mohaban discloses said network node is connected to a proxy server that converts the plurality of policy rules transmitted from said policy server into those in form that they can be executed on said network node and said network node receives the converted rules in this form (Column 12, lines 59 – 62).

Regarding claim 7, Mohaban discloses a method of transmitting a plurality of policy rules (Column 16, lines 14 – 21) from a policy server to a network node that is connected to the policy server via a network (Column 11, lines 14 – 20), the method comprising the steps of: transmitting the plurality of policy rules to said network node

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(Column 5, lines 55 – 67; Column 12, lines 59 – 62); transmitting to said network node a specific code and an instruction that specifies a new variable to override a variable that has been defined or used as a condition in at least one of said transmitted policy rules when updating said variable, wherein said specific code represents an instruction to copy a policy rule including said variable to change and replace the variable in the thus produced policy rule copy by said new variable (Column 20, line 61 – Column 21, line 3).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mohaban in view of Mandal (6170009).

Regarding claim 6, Mohaban discloses a method of transmitting a plurality of policy rules, each of which describes a condition and an action (Column 16, lines 14 – 21), from a policy server to a network node that is connected to the policy server via a network (Column 11, lines 14 – 20), the method comprising the steps of: generating a plurality of policy rules (Column 5, lines 51 – 54); assigning the policy rules their identifier (Column 19, lines 46 – 48; Column 20, lines 19 – 27); transmitting part of or all the policy rules with their assigned identifier to said network node (Column 5, lines 55 – 67; Column 12, lines 59 – 62); seeing whether the condition described in a policy rule to

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be removed is exclusive with the conditions described in said plurality of policy rules (Column 22, lines 47 – 51), but he does not explicitly indicate that when removing at least one of the policy rules transmitted to said network node; transmitting a request to remove a policy rule with its identifier that is specified by the operator to said network node, provided the condition of the policy rule is exclusive.

Mandal teaches a system with a plurality of network policy rules (Column 3, lines 61 – 64), which includes the ability for the server to remove policy (Column 7, lines 11 – 26).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Mandal's teaching in Mohaban's policy system in order to be able to fully reconfigure the network node to be sure that the policy's that are suppose to be running on the device are while being able to take off policies that should not be running anymore all awhile keeping consistency between the policies on the device and the policies listed in the directory for that device in a high level fashion (Mandal, Column 1, line 64 – Column 2, line 3; Column 7, lines 21 - 26) and to be able to remove certain rules from certain devices when they are no longer applicable (Mohaban, Column 24, lines 29 – 53).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No. 6587466 issued to Bhattacharya, because it has a policy server and managed a network device.

U. S. Patent No. 6041347 issued to Harsham, because it has a policy server and managed a network device.

U. S. Patent No. 6418468 issued to Ahlstrom, because it has a policy server and managed a network device.

U. S. Patent No. 5889953 issued to Thebaut, because it has a policy server and managed a network device.

U. S. Patent No. 6601082 issued to Durham, because it has depended policy rules.

U. S. Patent No. 6611863 issued to Banginwar, because it have a proxy between the network node and the policy server.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (703) 605-0633. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KB
March 9, 2004



HOSAIN ALAM
SUPERVISORY PATENT EXAMINER